THE LIBERTIES OF AMERICA. By H. W. WARN ER New York: G. P. PUTNAM & Co., 1853.

We have here a treatise on a subject which we dare say the common reader will pronon ace tograte dare say the common reader will pronounce to prite and familiar to be made the theme of interesting disquisition. Most reasons, as one author justly premises, are like to take for granted that they know and about it already; and will regard this attempt still further to popularize a matter so conattempt still further to popularize a matter so conattempt still further to popularize a matter so conattempt still further to popularize a matter so constantly and with such fluent declamation impressed stantly and wit and familiar to be made the theme of interesting disquisition. Most reasons, as the author justly premises, are like to take for granted that they have and stantly and with such fluent decision the popular mind as in the nignest degice suon the popular mind as in the nignest degice suing to Government in the common meaning of
ing to Government in the common meaning of a mild protest against any such summary disposition of Mr. WARNER's unpretending volume, and question greatly whether many a political Solon among us would not, if the truth were told, be compelled to confess, after a candid perusal of this work, that he had been very perceptibly instructed and enlightened concerning the liberties, social, po-litical, and religious, which it is the lot of every American to enjoy, without, however, always fully appreciating their nature or conditions. It is a great listinction and prerogative to be free born. An inspired apostle, when unjustly arraigned before the minion of imperial Rome, beasted of that freedom as his birth-right which the chief-captain had only "obtained by a great sum." And yet there are dangers incident to all inherited possessions. The wealth which a laborious, provident, and thrifty father bequeaths to his sons is rarely found to perpetuate in these his descendants the same virtues by which it was originally won. The conservative element is never, in the nature of things, so strong as the acquisitive. And though, as Cicero asserts, it is more disgraceful to lose the civil rights and immunities we have once acquired than never to have acquired them at all, yet history teaches us that all nations have at some period incurred the odium of this just reproach; and let it not be forgotten that popular government has never permanently succeeded in any country. The sons have squandered the patrimony which was left them by their sires. It is quite possible, therefore, that it may become us in this matter also to heed the injunction not to be high-minded, but to fear.

We propose, then, with Mr. Warner's book as our text, to discuss as briefly as possible a few of the old themes, which, however trite, are yet of the last importance, by reason of their surpassing practical interest to us as a people; for, as our author remarks, the triumph of popular government in our country may, for aught we know, depend, under God, as well upon the freemanly intelligence of the common mind as upon the purity and solidity of our

principles, in themselves considered. It has long been the fashion of brilliant theorists and of sedate philosophers as well to deduce the liberties of regulated life from those of untamed nature, as if nature's freedom were the greater and that of political society the less. Burke in his life of a state of nature, as though in retrospect they fondly reverted to the primeval age of Arcadian felicity from which the nations had wandered in the march of civilization. Paley and Blackstone, with their closer logic, also seek to convince us that the liberty of freemen had its origin in the curtailment and modification of a prebeing voluntarily surrendered for the purposes of governed accordingly. ment, as a quid pro quo. We have long questioned the logical accuracy of such argumentation. To our minds its fallacy is the same as that which vitiates the philosophy of Thos. Brown, in all his metaphysical speculations two facts or events are found to sustain a relation of precedence and sequence the one to the other, is no certain affords no solid ground on which to predicate the assertion that this order or correlation of phenomena, in point of historical development, argues an essential dependance of the one upon the other. Such reasoning wholly ignores the nature of civil liberty, and, in tracing some of the incidents which are fancied to accompany its genesis, entirely disregards the spirit which animates and informs it. It is a part with that orang-outang theory of a few late-learned ethonologists, according to whom the primitive condition of man was the savage one, as though the savage man were himself the germ from which the civi-

The vaunted liberty of a state of nature, when closely analyzed, is found to be a nonentity. The restrictions | the which hem in the free activity of the savage are greater and more insurmountable than those which invest the life of the social and civilized man. The range of his power is less; the objects on which it is exercised are fewer. The laws of nature contravene his individual wishes. leaving him to chafe his body and soul in a constant friction between his physical necessities and the scanty and uncertain means which untamed nature affords for their gratification. And this leads us to conclude that "a liberty unrestrained and arbitrary is not a human liberty." As Mr. Warner justly observes, "it is a pure abstraction ; one ever realized or can realize it, for it comports ' neither with our mortal frame nor our terrestrial condition. We are not made for it, nor capable of any thing 'like it. Human liberty lies in the middle ground; it is a power of acting not independently of restraints, but under and in the midst of them. Whatever visions we rest. ' may form about the state of natural society, it is certain, from what we know of ourselves, that constituted as we ' are, and related and proportioned as our faculties are to ' the scene and work appointed for them, our liberty is essentially and necessarily mixed up with restraint, with " much and various restraint, both physical and moral, in therefore, to deduce civil from natural liberty; for, in the first place, the liberty of man is not curtailed by civiligation; and, in the second place, it is a great error to suppose the absence of restraint to be at all of the essence of human freedom.

lized man has been developed by a nisus natura-a theory

which should never have found its way out of the Satires

of Horace into the profound philosophical twaddle of the

later Monboddos of modern science.

Mr. WARNER next proceeds to consider Liberty in the various applications by which all the useful ends of society are achieved. These are separately treated under the respective heads of Liberty of Place; Liberty of Pleasure-Seeking: Liberty of Business: Liberty of Conscience; and Political Liberty. We are compelled from want of space to omit all notice of the author's line of reasoning on all these branches of his general subject, except the last, though we may say, in passing, that, without subscribing to all his obiter dicta, we have rarely met so much good sense expressed on topics which in most hands are wont to degenerate into empty and vapid declamation. Vera pro gratis is evidently Mr. Warner's

Our author apprehends that the form of government defined by the American Constitution is "in theory as remote from pure democracy on the one hand as from pure monarchy on the other." and adds that the fathers called it republican, meaning thereby to give it not simply a description but a distinctive name, and for the very purpose of keeping up this double discrimination. The people, in fact, stand in two distinct and apparently con-tradictory but really most harmonious relations to our composite Government—in one they are sovereigns; in the other subjects. When "the powers that be" are, under God, ordained by the people as sovereigns, it is surely no derogation from their dignity to ascribe to them so much self-respect as shall suppose them subject to a dynasty in which they are themselves the successors. But who had seen to perform the convention for revising the Constitution of Massa-chusetts, in a speech delivered before that body a few who pronounce the Whig party dead are quite well assured that its present quiescence is only a case of "suspended animation." It has so much dangerous vitality still left that they are in very unseemly haste to bury it alive. which they are themselves the successors. But we prefer to let Mr. Warner speak his views for himself. Our
simply for the federal charter, but for the whole compo-

said to be dead, " or at least in articulo mortes, it may be , civil history; we may call it a transition period in that hisprofit able to revert to the first principles which lie at the bas',s of our Constitutional Government.

"Let us be more exact. The people's sovereignty under the constitution is a power in the Government as well as over it; a power which the constitution recognises and makes use of for it; own ends in the established organism of the State giving it work to do, and in a fixed, unatter in a faction: in short, a strictly functionary power, as much so as the power of an index of the Supreme Court.

ing to Government in the common meaning of the term; in other words, to the legislative, executive, and judicial departments, familiar to every one's knowledge. Such is the subtrahend of the problem. What, then, must the people's remainder be? What but the organizing and visitatorial power of the ballot-box—the electoral sovereignty? Nothing less, nothing more.

"Nor is this sovereignty original in the people. No functionary power can be older than the organism it belongs to. Much is said about the reserved rights of the people, and in a connexion to show that rights of power

people, and in a connexion to show that rights of power are meant. It is a delusion. How could rights of any sort, bearing solely on the Government, exist before the Government itself? And if they did not pre-exist, how could they be reserved when the Government was formed? They necessarily took their date from that period; they They necessarily took their date from that period; they were the very creatures of the constitution; and it was by the constitution that they were imparted originally to the popular electors. The right of voting at political elections is truly what it has been called, a franchise an emanation of power from the national fountain-head, descending thence upon the individuals who are entrusted with the use of it. To talk of a reserved franchise

would be a solecism.
"Besides, if this electoral sovereignty had been a thing of original right in the people antecedent to the constitution, it would belong to every one-man, woman, and tution, it would belong to every one-man, woman, an child-so far, at least, as there is no lack of discretion child—so far, at least, as there is no lack of discretion for attending to its duties; whereas we do not find it so vested, only a portion, not a third part probably, nor get a fourth of the whole community being legal voters; women and minors having none of it, many adult free citizens having none of it, for want of the requisite qualifications of residence, property, tax-paying, and the like. How is this? Are these unvoting citizens disfranchised by the constitution? Is it not more sensible to say that every franchise being a trust, or at least involving one, the right of voting has been given to such only of the people as are deemed fit and competent trustees of so important a power, and likely to use it with advantage to the country? So that, instead of taking away any thing from three-fourths of the community in that respect, the constitution simply imparts to the rethat respect, the constitution simply imparts to the re maining fourth a right of its own creation which was never theirs before.†
"And this is done, let me add, not for their sakes in

particular who receive the grant, but for the equal good of all, without distinction or difference. There is no peculiar value in the privilege of depositing ballots in box, the act alone considered; nor have they to whom the privilege is not conceded any serious cause of present unhappiness on that account. The only question of interest for them, as for others, is upon the likelihood of results to the country. Is the right of suffrage distributed widely enough among the people, on the one hand, to make our elections duly popular in the spirit of them, and restrained, on the other, to a number sufficiently small and select to render it probable that they will be that of political society the less. Burke in his conducted with proper intelligence and prudence; so younger days, and Jean Jacques in his reveries on the that, upon the whole, the true advantages designed by Social Contract, painted in gorgeous colors the haleyon this part of the constitutional arrangement may be fairly hoped for from its operation? That is the point of true

interest, and the only one.

"Now, the liberty that waits upon a functionary power can of course be no larger than the power is. The people in their capacity of electors, may do every thing neces-sary to the complete and effectual exercise of the fran-chise. They must not be hindered in this. No military, no political, no private interference can be tolerated. It is existent natural liberty, a portion of the primary stock a point of unquestionable sovereignty, and must be treat-

to it that they do not overstep their province. To at-tempt more than the precise nature of the franchise warrants is usurpation.

"And this enables us to condemn without reserve an

concerning the relation between cause and effect. Because opinion strangely prevalent in some parts of the country, to the effect that when a man is chosen to an office, espe-cially an office of legislation, it is the right of his con-stituents to have pledges from him as to the measures he proof that they are essentially connected as the terms with advocate or oppose in public life; and even to come ments and opinions which, in the hands of nullifiers and which conditionate the resulting phenomena. The fact that civil liberty succeeds natural liberty, or that natural structions on the subject. Nor are the holders of this opinion so inconsiderable, either in name or influence, as "Upon what, then, do these gentlemen ground them-selves? The notion seems to be that an election is a de-legation of power; affil so that a pledge exacted from the candidate is but a condition annexed to a free gift; in other words, that the electors, being the donors of the power with which the man of their choice becomes thereupon endowed, have a natural right to be served with it in the way they think best.
"But here is certainly a misconception. The electors

confer no power, not a particle. How can they? They have none to confer. Had they the power themselves they could exert it; otherwise it would not be power. As, then, they have it not, they cannot delegate or pass it over to another. Suppose the elected officer should die suddenly, and a vacancy happens; would his power fall back upon the electors' hands ? No: for again they could make no use of it, and to them it would not be power. Their right of suffrage would indeed revive; another conne d'élère from the constitution would not them in furaction as its functionaries for appointing a successor. This done, their work is ended till new casualties make new room for it. But suppose, instead of dying, the officer plays truant and is guilty of malversation; can his constituents intrude upon him and amend his doings? No; culprit though he be, the office, so long as he continues in it, is his, not theirs. When his term is up, to be sure, he may be called by them to a species of account. But even that will not be in the way of jurisdictional re view, for they can do nothing, absolutely nothing, with the function he may have abused. They are not rulers, but electors only. They can touch the man, should he ask a renewal of their confidence; they can refuse to trust him again; and this is all the penalty they can

"If, then, the power of a public agent is not given him by his elective constituents, whence, you will ask, does he get it? I answer, from the constitution. It is laid up there in waiting for him against the day of his ap-pointment. The electors choose him, designate him, give him their letter of approval; the constitution does the

We could wish that Mr. Warner had conceived it to fall within the purview of his treatise to give us his opinions on the historical rise, formation, and development of those peculiar principles which constitute American constitutional freedom; or, bating this, that he had traced the influence which the various parties by whom the very doom of the Creator." It is a double blunder, the Government has been administered have exerted on our general national polity. We are not much addicted to what the critics call the brilliant generalizations of the philosophy of history, since in the main they seem to us more brilliant than solid, and, like the newspaper items which come under the head of "important if true," they awaken quite as much distrust as admiration. But the political or party history of the United States contains, we think, a philosophy which it may be not unprofitable to enunciate and generalize. In a politico-philosophical point of view, then, it seems to us that, up to the accession of President Jackson, the Republic was administered by both the two great parties which successively prevailed in a way and an order eminently fitted by their combined effect to give at once duration and expansion to all the genuine elements of a rational constitutional liberty. Later than this period it would not be safe for stole a bottle of rum, as they supposed; they both drank us to descend, as the memory of partisan prejudices, enliberty. Later than this period it would not be safe for gendered by the strife of the two great parties which date from the advent of the seventh President, may be deemed too fresh among us to admit the calmness and impartiality requisite for a fair appreciation of the general tendency of our more modern politics; and by such abstinence, moreover, we avoid the unpleasant duty of designating any unfortunate departures, as we deem them, from the true theory and practice of our Government.

The men who framed the American Constitution liver and moved in a most interesting and critical period of

extract is a long one, but in the present happy dearth of site system of the country, which, with all its multipli-

tory. The minds of men, or at least of statesmen, d ring this eventful time, were moulded in the forms of a system partly old and partly new. The papers contained

in the Federalist must ever remain a monument of this fact. The constancy with which its authors appeal to history and the testimony of experience sufficiently proves that they were least of all disposed to repudiate the old and tried maxims of civil government. And yet it wally evident that the political writers and legislators of our revolutionary era were imbued with the spirit of a new philosophy which had then for the first time begun to permeate the popular masses. The writings of Locke and Sidney had proved good seed sown in good ground it brought forth a hundred-fold. A transition period such as this was eminently propitious for the founding of a new

nment. It struck upon the happy medium, the juste milieu, between 2 buna and slavish deference for an-thority on the one hand, and the rash and heady spirit of innovation on the other. Could the American Constitution have been framed fifty jacri before its actual formation? Could it have been framed in vears ofterwards? As it was, it escaped both Scylla and Charybdis-the reflux tile of arbitrary prescription, and the gulf-stream of democratic presumption.

We cannot but regard it as a most fortun that the men who were most actively instrumental in the formation of the Constitution, and in procuring its adoption by the States, were the men called by the popular voice to inaugurate its practical vorking. The Federalists were the men for their times. Mistakes they certainly committed, for with all their virtues they were fallible men; but nothing save the proverbial ingratitude of Republics can prevent posterity from regarding the party of Washington, of Hamilton, and of Marshall as the most beneficent auxiliary in winning, founding, and conserving the liberties which we still enjoy. The Federalists, we admit, were in favor of a strong government, but not, we believe, of one stronger than the crisis in which they were called to act demanded. When the compression of external danger was withdrawn by the advent of peace and independence, a spirit of disunion, and schism, and dis-affection soon began to grow rife in the land, and we were in danger of losing by domestic feud and dissension all that eight years of revolutionary privation, toil, and sacrifice had at last availed to conquer. That we did not is mainly due to the Federalists and their principles-a consideration which should go far to exempt them from the strange and senseless reproach which party spirit in later times has striven o fix on their name. The alienation between Hamilton and the elder Adams, attended as it was by the loss to the Federal party of Hamilton's sagacious guidance, conributed greatly, we believe, to the final defeat and overfirow of Federalism. The later measures to which the party was committed by John Adams, particularly the alies and sedition laws, though not indefensible, were cerainly inexpedient, and beneath the odium of them the pirty fell, and "fell to rise no more." We do not regret is fall. It had acted well its part. It had finished the work assigned it to perform. It had consolidated "the elements of order, strength, and duration" which it had been primarily instrumental in engrafting on our Constitution. It had saved the public credit, had suppressed rebellion, had established foreign relations, and yet exticated us from "entangling alliances;" had created conmerce, had given permanence and stability to our entire donestic polity. But there was danger of its going too far in a listrust of the popular capacity for self-government. It was an error doubtless, and grievously have they atomd for it. The Federalists were no courtiers of the populace. Perhaps they underrated the intelligence and virtue of their countrymen by not sufficiently allowing for the conservative spirit which they had themselves infused in the popular mind. At any rate, we must regard the accession of Mr. Jefferson and the triumph of the Republican party as a necessary progression, in order to give a due expansion to the democratic side of our Constitution. Hr. Jefferson is not our ideal of the immaculate and impeccable statesman. He committed great faults and made great mistakes; the embargo illustrates the former and gun-boats the latter. He has bequeathed to the modern Democracy a few sentirepudiators, have been wielded in the service of faction on public affairs. He set them on the "Republican tack;" and so long as the ship of State was guided by a Madison, Monroe, and John Quincy Adams at the helm, we believe she did not swerve from the safe line of direction on which she had been put. In fair weather and in foul she held on her destined way.

That the Federalists should first have held the reins of power we regard as vital to the existence and stability of the Federal Republic. That the Republicans should have subsequently assumed them we deem to have been essential in order to give full development to the largest practicable liberty guarantied by the Constitution; and in this mutual action and reaction of Federalism on Republicanism, and then in turn of Republicanism on Federalism we trace the evolution of law, order, and rational freedom : and it is on such generalizations that we found our remark that the early political history of our nation contains an instructive philosophy. We have not time or space to pursue the subject further, and must here stop after conducting our readers to its threshold.

MARTIN'S "LAST JUDGMENT."-A large painting has lately been completed by the industrious John Martin, which is certainly one of the boldest tasks ever undertaken by an artist. The subject and design is thus described by the London Observer. It will be seen that the writer expresses no opinion in regard to the merit of the work. which from the vastness of the outline can hardly be mccessful .

"The subject is the 'Last Judgment,' and the work may e said to be divided, practically at least, into two compart-cents. In the upper division is the judgment seat, and ments. In the upper division is the judgment seat, and 'Him that sat on it;' and around the throne are the four and twenty elders and hiearchy of Heaven. Faintly appearing in illimitable space are the immeasurable celestial city and the plains of Heaven, with the rivers of bliss; the whole scene plains of Heaven, with the rivers of bliss; the whole scene shining in the luminous atmosphere emanating from the Supreme. The angels who have sounded the last trumpet to the four quarters of the earth stand at each corner of the throne of Christ. The Book of Life has been opened, and the quick and the dead are being judged according to their works. The avenging angel hurls the bolts of Heaven upon the condemned. On the left of the throne stands the angel whose closed book contains the record of the actions of those who have rejected the waters of salvation, upon whom judgment has passed; and on the right of the throne stands an angel with an open book, from which he reads the record of the achave rejected the waters of salvation, upon whom judgment has passed; and on the right of the throne stands an angel with an open book, from which he reads the record of the actions of the just who are being judged from the Book of Life. Beneath, on the carth, the sun is darkened and the moon gives not her light; the mountains and rocks fall, and hide the kings of earth, and the great men, and the rich men, and the bondman, and the freeman from the face of him that sitteth on the throne. War, with its hideous engines and vain trophies, mammon, avariee, usury, worldly pride, pomp, hypocrisy, pretended religion, false sanctity, false humility, and all sins averse to Christian doctrines await destruction. Some are overwhelmed by the earthquake, and swept down the abyss into the bottomless pit, 'gone down to hell, with weapons of war;' some crushed by the falling mountains or blasted by the lightnings, and others abandoned to grief, horror, and despair at their eternal doom; the earth is trembling, tottering, crumbling, sinking, in universal ruin, to utter annihilation; and beheld—'a new heaven and a new earth, when the first heaven and the first earth are passed away.'"

FATAL MISTAKE.—Two men in Illinois, near Lacon were not discovered until too late to avert the evil. were not discovered until too late to avert the purpose of turned out to be nitric acid, propured for the purpose of turned out to be nitric acid, propured before they fell to alvanizing. But a moment clapsed before the earth, overwhelmed with the most intense and excruiating pain, and death soon ensued.

A cotemporary says it don't believe in the water cure and gives as a reason: "There is Mr. (naming a noted political editor;) he has been lying in his damp sheet for twenty years, and he's worse now than ever."

PHONOGRAPHY. - One of the prominent members of the Convention for revising the Constitution of Massa-

The reporter, by means of his phonographic notes, ac tually produced the sentence thus:

"She has three square miles containing 480 acres, not including certain places where certain pricate vices exist, about which the gentlemen in the Legislature may know something." JAPAN.

The steps lately taken by our Government in re-lation to the rich but little known island of Japan gives value to every thing concerning its people and heir condition and character. The annexed brief article, therefore, possesses some interest, although it furnishes no great amount of information :

FROM THE LITERARY WORLD.

Three volumes of travels, of a light entertaining character, have just been published in London; a translation from the German of F. Gerstaecker, a gentleman of lively, enterprising turn of mind, with a good share of energy, a dash of sentiment, and an evident inclination for the marvellous. His book is the story of a five years' Journey Around the World, starting the 22d of March, of some year, the date of which is unfortunately omitted, m the Weser, making the port of Rio Janeiro; then accomplishing an overland journey from Buenos Ayres to Valparaiso, across the Pampas and Cordilleras, and reaching San Francisco in an early stage of its rapid growth. California, in 1850, is described with sairit in what will prove a vastry entertaining sketch a hundred years hence. The Sandwich and Society Islands are the nert sages of M. Gerstaecker's advantures; from Tahiti to Sydney, with a half-dozen chapters on Australia; and, at the end

of the pilgrimage, an entertaining section on Java. An item or two of our traveller's gossip at Batavia on the arrival of the annual Dutch ship from Japan may be entertaining at this time. We should mention that there is a deal of the American rollicking Western spirit about the book, the author having, in fact, served an apprenticeship, at one time of his life, among the "b'hoys." He tells us that he once came to North America comparatively a youngster, unable to speak the language, and consequently obliged to take up with the first work he could get. So he became "first fireman and deck-hand, then cook on board the Mississippi and Arkansas steamers; set up cord-wood in Tennessee, and worked at the silversmith business in Cincinnati; farmed in Missouri; was barkeeper and finally hotel-keeper in Louisiana; storekeeper awhile in Arkansas; and, after having become familiar with the language and habits, hunted four years in the backwoods of Arkansas, principally in the Fourche la Fave and Ozark mountains, and White and St. Francis river swamps, for bears, deer, and turkeys." After this comprehensive education he found no difficulty in graduating in the Diggings and the Bush.

The "toko" is, it seems, the name of the sale or store opened at Batavia on the arrival of the Japan ship. - The goods are offered for three months, being first exhibited to the Governor and ladies of the court, then eagerly bought up by the fashion of the town, when the remnant is eventually sent to Holland. The goods consist of the

famous varnished wares, porcelain, and bronze, silks, playthings, &c. The varnish is poorly imitated by the Chinese. "It is so extraordinarily composed that it al-lows boiling water on its surface without injury; the teacups, made of wood, and covered with it, are fitted for use accordingly." The crape shawls are beautifully woven and colored; in three days not one of them was left. Indeed, "hundreds have a hard time at Batavia when the Japanese ship arrives." The whole commerce of Java is an exchange of goods; no money received.

The Emperor of Japan is an independent sovereign; accepting no presents. The King of Holland sent him a gift, which he declined; answering quite indignantly, "if he, the Emperor of Japan, made a present to the King of Holland, he could do so, for he was the Emperor of Japan; but this being quite another thing, he would not accept cups, made of wood, and covered with it, are fitted for

but this being quite another thing, he would not accept it. To show his Excellency the Governor of the Indier his continual grace, he sends him annually one dozen of thick wadded gowns, very useful for a climate like Batavia, which are put up at auction just as regularly as they are received.

The Dutch at Decima (a small island, or part of the main isle of Niphon, connected by a bridge not to be passed without authority) are made comfortable by the Those who are stationed at Deapanese authorities. cinn, as well as those who come over there with the an-nual vessel, get, while they stay, a wife each, for which he has to pay a certain rent annually; but if he leaves the station, he must also leave his Japanese spouse; and if she have children they are Japanese, and not permitted o follow the father.'

Mr. Gerstaecker became acquainted with Dr. Mohnike who passed three years at Decima, and was one of the ambassadors sent to Jeddo on the pilgrimage which takes place triennially. He is sure . M. could tell a great deal "if the Dutch Government would allow him to write about such things." That personage, however, showed him some books and prints smuggled out of the country. "Numerous persons were executed after another German, Seybold, who had been in the service of the Dutch

Government at Decima, and collected a great many such forbidden things on the sly, had left Japan." Mr. Gerstaecker thinks the Emperor will refuse to re-ceive the American expedition: "or, if he does grant them an interview, he will dismiss them again without even promises." " If the Americans do force an entrance upon some point, and do not take the whole island, they will be walled in in a short time, and permitted to see very little of their neighbors. Still the islands are too small to resist for any length of time renewed attacks; and his Majesty will have to yield first his country an then his crown, just about as willingly as the California Indians, or Sikhs, or Australian blacks; or, in fact, all other countries overrun by strangers and enemies.

Mrs. Barton, wife of Waite Barton, formerly Louis, came to her death at Quincy, Illinois, on the 11th On the 9th she fell upon a pair of scissors that were in her pocket at the time, and was so much injured by their being driven into her side that she survived on

A MELANCHOLY TALE .- The Chicago Tribune informs us that five unknown persons, who were buried as such, killed by the collision last April at the junction of the Illinois Central and Northern Indiana roads, were a family by the name of Kellogg, moving from the State of New ork to Minnesota. They were a man, his wife, and three ads. An infant, taken unhurt from among the ruins, it has now been ascertained belonged to the same family. The two elder sons with a grown up daughter are living in Minnesota. They have been on to Illinois, and have visited the graves of the family that were killed when on their way to join them, and have taken their little sister away with them. This is a sad tale.

LICENSE LAWS .- We learn that the Supreme Court, on Friday last, made a decision denying the authority of counties, cities, and towns to refuse licenses to retail intoxicating drinks, when proper applications are made to them for such licenses. It was also held, in the same case, that under the new license law courts have no power to enforce the payment of fines by imprisonment. The case in which this decision was made arose at Bloomington. A person there applied to the city council in the usual way for a license, which, with all other applications of the same sort, was refused. He then proceeded to sell, and was arrested, fined, and ordered to stand committed until the fine was paid. Thereupon a writ of habeas corpus was sued out and made returnable at Otthe Supreme Court. After full argument the court held, as above stated, and ordered the defendant to be discharged from custody.

[Springfield (III.) Register of July 12.

SINGULAR EDITORIAL ACHIEVEMENT .- Yesterday the Leander-like achievement of swimming the Niagara and again recrossing, at a short distance below the cataract, was performed by J. V. Thomas, Esq., the late Editor of the Brooklyn Daily Advertiser.

[Niagara Falls Iris, July 16.

Bread and Butter.—Bread and butter is a theme, however homely, on which a volume might be written. Although the appetite may tire of other things, on this substantial ground it makes a stand. It must be trained to the liking of far-fetched cookery, while the taste acquired at so much pains departs suddenly. Civilized men enjoy one kind of food, and cannibals another. Some are very simple in their habits, and, like the boy Cyrus at the courtly table of his grandfather, wonder at the multitude of dishes. But no man, christian or heathen, ever quarrels with his bread and butter. It is acceptable the year round, and the taste for it is universal, and never palls. You cannot ent it to a surfeit, or even return to it with disgust. If it is of a bad quality, that does not destroy your affection. You blame the baker, but stick to the bread. Good bread and butter in the summer time are peculiarly delicious—the very staff of life. When the flour is of the finest wheat, the yest of a buoyant nature, and the loaf, with its crust properly baked, has the whiteness of snow and lightness of a sponge; when the butter has the flavor of the freeh grass and BREAD AND BUTTER .- Bread and butter is a theme, howproperly baked, has the whiteness of snow and lightness of a sponge; when the butter has the flavor of the fresh grass and the color of new minted gold, eat to your heart's content, and desire nothing else. When you have come in at the noontide hour, wearied with your expedition to the mountain top, your walk in the woods, your sail on the lake, or your botanizing in the mendows; when you have labored faithfully in the garden, rooting out the weeds from the cucumbers and green peas, the sweet corn and cauliflowers, which are to grace your table, contracting a sharp appetite from the smell of the mould; when you have returned with woodcock from the swamp, or have been 'a fishynge,' and then the golden butter and fresh bread are set before you, garnished perhaps with a swamp, or have been 'a fishynge,' and then the golden butter and fresh bread are set before you, garnished perhaps with a well dressed lettuce or a few short-top scarlet radishes, each crackling and brittle as gloss, well may you disdain the aid of cooks, for it is a feast which an anchorite might not refuse and which an epicure might envy.—Knickerbocker for July. "PROGRESS"

pendium or history of the ministration of angels, or those

but that from the beginning to the end it is mostly a compenium or history of the ministration of angels, or those who were once inhabitants of this earth."

We regret to say that many of the "spirits" appear to be inveterate in the habit of stealing middling poetry, aiready printed here, and rapping it out as their own composition; while others cherish a still more exceptionable tendency to concoct very poor doggerel and put tionable tendency to concoct very poor doggerel and put tionable tendency to concoct very poor doggerel and put tionable the fine the first and fashionable every evening in the cities; and to try how little they can do, when thus packed, the cunningest art of legislators in our capitals.

But now, when the sun approaches the lion, the fervid magination files for comfort to the icebergs of the Arctic Circle, pursues the much-lamented Franklin and his brave companions beyond the Dryll's Trum, and does not step till it has passed the short degrees of longitude in the vicinity of the pole, and cooled itself among the spout-whales of Belring's Strait. The hot summer is the vicinity of the pole, and cooled itself among the spout-whales of Belring's Strait. The hot summer is the vicinity of the pole, and cooled itself among the spout-whales of Belring's Strait. The hot summer is the vicinity of the pole, and cooled itself among the spout-whales of Belring's Strait. The hot summer is the vicinity of the pole, and cooled itself among the spout-whales of Belring's Strait. The hot summer is the vicinity of the pole, and cooled itself among the spout-whales of Belring's Strait. The hot summer is the vicinity of the pole, and cooled itself among the spout-whales of Belring's Strait. The hot summer is the vicinity of the pole, and cooled itself among the vicinity of the pole, and cooled itself among the spout-whales of Belring's Strait. The hot summer is the vicinity of the pole, and cooled itself among the porting of the vicinity of the vicinity of the pole, and cooled itself among the porting of the v

one millions in 1852 to four hundred and thirteen millions the present year, being an increase of about sixty-two millions, or seventeen per cent. The increase in personal estate is more than twenty per cent. While every Ward in the city has shared more or less in the general prosperity, the growth of the upper Wards is most remarkable, that of the nineteenth being little less than expents for page 2015.

ago, saw before we did the utility, if not the necessity, of poned to another torrid season. a ship channel between Lakes Erie and Ontario, and undertook, at great expense, the construction of their Welland canal, some thirty miles in length, and the result has fully vindicated their foresight. Not only has the work given ample facilities to their own commerce, but it has laid ours under contribution. No sloop, schooner, or propeller from Sackett's Harbor, Oswego, or Rochester, for example, can reach our upper lakes without passing through Canada.

The canal proposed by the company now incorporated will not exceed nine miles in length, extending from Schlosser, two and a half miles above the Falls, to Lewiston. It will pass through an entirely level country till it reaches the mountain ridge at Lewiston, where a stupendous system of double locks will overcome an elevation of some three hundred feet. When this canal and the one some three hundred feet. When this canal and the one convicts. now building around the Falls of St. Mary shall be com-

charged an Irish servant girl in the lamily of Mr. P. with having stolen the property, and stated further that she had burnt the money, and threw the watch, chain, and ring into a well near the house of Mr. P. The well was searched and the watch, chain, and ring found. Traces also of burnt paper were discovered in the stove pipe and the watch, chain, and ring found. Traces also of burnt paper were discovered in the stove pipe and the watch of the remarks of the remar chimney corner of the room occupied by the girl, who was thereupon arrested. At the trial the confession of the girl that she stole the money was put in, as were also the facts that threats were used to make her confess, and also that she declared that she was innocent, but would confess if it would please Mrs. Parmlee. The clairvoyant was put on the stand, but she testified that she could not-remember any thing that she said while in the mesmeric sleep. The jury, after a consultation of fifteen minutes, returned a verdict of not guilty.

The venerable Judge Estill, a distinguished jurist of Virginia, but for the last three years a resident of Louisi-ana, died at his hospitable mansfon at Harrod's creek, in Kentucky, on the 14th instant.

A SHOCKING CAMPHENE DOUBLE MURDER .- A shocking accident occurred at Clifton Park, Saratoga county, on board a can'll boat at the Willow Spring, on the evening of the 4th of July instant, which resulted in the death of a woman named Catharine Olds and her infant child of about three months, the immediate cause of which was the explosion of a lamp and can of that murderous compound known as camphene or burning fluid while she was in the act of pouring it into a lamp near a lighted match. [Albany Journal.

BAD SPELLING .- A gentleman wrote Dr. Francis the fol lowing note:

"Dear Doctor: I caught cold yesterday, and have got little horse. Please write what I shall do for them.

"J, P.—".

We annex the apswer:

"Dear P.: For the cold take half a pound of butter candy.

For the little horse buy a saddle and bridle and ride him out of town the first time we have pleasant weather.

Dr. F."

ANECDOTE OF MR. WEBSTER .- A few years since we passed a night with a farmer who resided within six miles of Mr. Webster's home in Marshfield. In speaking of Mr. Webster the farmer said that he had made his acquaintance and found him a most agreeable neighbor. The ac-quaintance was in this wise. I was out in my door-yard one morning before breakfast last summer, and saw a one morning before breakfast last summer, and saw a gentleman in my cow-yard. He apologized for his intrusion, as he termed it, by saying, "I got out of my carriage, sir, to look at your barn cellar. I am taken with its plan and structure, and thought I might gain an idea that I may put in practice at home. My name is Webster, of Marshfield. I am taking a look round among my neighbors to see if I can learn something about farming."

"O, Mr. Webster! My name is Collamore. I am happy to see you, Mr. Webster; won't you walk in sir?" "Not to day, sir, if you will excuse me. But, Mr. Collar are neighbors not very far apart, and I should be happy are neighbors not very far apart, and I should be happy to see you at my house. I am a farmer in my way, which is not so good as that of my more experienced neighbors; but we may find some things with which to while away a little time on my place. Come down, Mr. Collamore, and see me; and bring Mrs. Collamore and your neighbors; please to invite them—tackle up, and all of you come down some pleasant morning and spend the day." So I, my wife, and neighbors went down. Mr. Webster led us all over his farm, till we got an appetite for dinner. It was in that year when flour was so high. Mr. W. attended to the wants of his guests at table, and then called upon the servant for a piece of bread. He took the bread upon the servant for a piece of bread. He took the bread, remarking in an old-fashioned style: "I tell my woman that flour is so high we must buy only a pillow-bier of flour at a time now-a-days." The idea of this allusion to old-fashioned times was to us all very ludicrous, and is

SUBJECTS ARE SUGGESTED BY THE SEASONS.

Mr. J. Everett writes to the Spiritual Telegraph that spirits make themselves visible to the bodily eye [of believers only, we infer] in Dover, Athens county, Ohio, in addition to playing music, curing disease, and giving divers communications, sometimes with the audible human voice. He continues:

"If conversation with the spirits upon the subject of the babble of authors in the melodrama. At that cold season we love to babble of authors its and her, baths as well as a force of the same that the same transfer of saturday.

Subjects of thought are impressed to a great extent by the seasons. In the winter, ideas go fibustiering, revel in orange groves, coffee fields, and sugar plantations of the tropics. Then Cuba and Hayti rise up in a rich mirrage to the fancy of politicians by profession; and unfortunate adventurers and Mr. Thrasher perform their allots are the season we love to babble of authors. "If conversation with the spirits upon the subject of theology, they instruct us that the first and the last, the fundamental doctrine is the belief in the existence, the worship and love of God, and of love to one another and to all mankind, without restriction; and that salvation is the total renunciation of error and wrong, and the reception of truth, love, justice, and wisdom; that to be rightous we must think and do righteously; that the Bible is not precisely the book that many have supposed it to be, but that from the beginning to the end it is mostly a compendium or history of the ministration of angels, or those and to try how little they can do, when thus packed, the

Diligence were spoken on the 19th June off Cape Farewell by the Desperate, which had arrived at Sheerness from the Arctic Expedition. The squadron had encountered large masses of floating ice. There were a number of whales seen, all of which were old fish, and extremely large. The screw steam vessels proved most decidedly advantageous in making their way through the loose floating ice, the body of the ship clearing a course for the full and free action of the screw-propeller, while the stopping of the engine to replace defective floats, unable to contend with the heavy masses of floating ice alongside.—English paper.

The Wealth of New York presents a striking view of the progress of that city in wealth for a single year. The official returns show that the assessed value of real and percentage of the millions in 1852 to four hundred and thirteen millions.

markable, that of the nineteenth being little less than seventy-five per cent.

The Niagara Ship Canal, which a special act of the New York Legislature has just authorized, is a work which is destined to add substantially to the greatness of our city and State. The Canadians, some twenty years are any hefere we did the ntility is the season to the cold sea and the North to which we attribute the present talk about the Northern bear. When the European body politic seems melting away; when our individual corporations are at any rate dissolving with heat, we think of the White Mountains, Mont Blanc, Chimborazo, and the Czar. But our studies on the subjects will all die away by winter, when the Czar, Siberia, and the Icy Cape will be alike forgotten, or post-poned to another torrid season.

IMPORTATION OF FOREIGN CONVICTS.

FROM THE JOURNAL OF COMMERCE

The small principalities of Germany contain a very large population. The people are very poor, and the number of regues convicted of small offences very great. The Princes when I was in Europe I saw convicts en route to the sea-ports, to be sent to America—a cheap mode of getting rid of them; but it is very unjust to make a penal colony

now building around the Falls of St. Mary shall be completed, the navigation of our great chain of inland seas, from the head of Lake superior to Ogdensburgh, will be uninterrupted. This is in itself a great national achievement, and, while it will injure no existing channel of transportation in our country, yields to none in its vast importance and value.—New York Express.

Extraordinary Trial.—Under this caption the Hartford Times gives an account of a trial which lately occurred at New Haveh. On the 27th of April last the house of Samuel R. Parmlee, of Wallingford, was robbed of \$1,700 in money, and a gold watch, chain, and ring. Mr.

of Samuel R. Parmlee, of Wallingford, was robbed of \$1,700 in money, and a gold watch, chain, and ring. Mr. Parmlee soon afterwards made application to a clairvoy-ant of Durham, a girl of thirteen, named Mary Rich. She two or more new State prisons; for be assured we shall charged an Irish servant girl in the family of Mr. P. with require them in a few years, and sooner than they can be

> The Missouri Legislature has ordered the erection of a monument to the memory of Senator Lewis F. Linn. It is to be eighty feet in height, and eighteen feet in the base, built of St. Genevieve marble, and will be finished about the middle of October. The site is about one mile above St. Louis, at a place called Little Rock, on a high bluff one hundred and fifty feet above the bed of the river, in a little knoll of trees, and is visible for thirty miles around. The vault is to be blasted out of the solid rock, and a quarter of an acre will be handsomely enclosed by marble columns and a chain fence.

> TERRIBLE EXPLOSION IN NEW YORK .-- On Tuesday af-TERRIBLE EXPLOSION IN NEW YORK.—On Tuesday afternoon a large steam-boiler in the extensive foundry of John R. Pratt, in Attorney street, suddenly collapsed, blowing the rear wall and the roof of the building into Ridge street, besides frightfully scalding four of the employes in the establishment, and fracturing the skull of a grocer who was sitting upon his front stoop in Ridge street. The names of the injured men are Thomas Service, David Barry, Wm. Cronnard, G. Barry, and Thomas Riley, all of whom are in a dangerous condition. Large fragments of the boiler fell upon the roofs of several houses in the vicinity, and also shattered a number of houses in the vicinity, and also shattered a number of doors and windows. The cause of the accident was a want of water.

COST OF RAILROAD TRANSPORTATION .- We gather railways from the American Railway Times, which will be found interesting. The Times says they were pre-pared by one of the most experienced and intelligent managers, and Hunt's Magazine adopts them on this Authority :

One passenger car, (60 seats,) at 2 cents per mile. One baggage car, at 2 cents per mile, (two high). One conductor, \$2 per day; one brakeman, \$1.... Receipts on 40 passengers, at 21 cents per mile

..\$73 The cost of a train with eighty-two passengers, at 11

cents per mile, is estimated at \$29, the cost of one additional car at \$2 being added; the receipts at \$102.50 make the nett profit \$78.50. The cost of a train with 120 passengers is the same, with the addition of one car at \$2, making \$31; the re-

with the addition of one car at \$2, making \$81; the receipts at one cent per mile making the nett profit \$89.

The Times adds: "A large engine will draw on any road, not exceeding a forty feet grade, one hundred tons in addition to the cars; and as fourteen passengers with their baggage are usually estimated to be a ton, a full train of cars, with two hundred and forty passengers, amounts to only seventeen tons. The difference in fuel required to draw one or three cars is consulted. required to draw one or three cars is so small as not to be susceptible of calculation.
"That freight also can be carried cheap on great tho-

roughfares, where there is plenty of it, has already been demonstrated. The Reading road carries coal one hundred miles for one dollar per ton, although the cars go back empty. The Baltimore and Ohio road have also contracted to carry coal one hundred miles for two dol-lars per ton."

The expenses of the city of New York are pretty heavy. of flour at a time now-a-days." The idea of this allusion to old-fashioned times was to us all very ludicrous, and is one of the incidents we allude to when we speak with each other of our visit to Marshfield.

[St. Paul Pionest.]

The comptroller has presented his annual budget to the Board of Supervisors, and it appears that the taxes for next year will be nearly five millions of dollars. Of this sum, says the Post, \$385,000 is devoted to the repairing and cleaning of the streets, which are never clean.